

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODERICK MAGGAY,
Plaintiff,
v.
OFFICER MICKE, et al.,
Defendants.

Case No. 21-cv-04994 BLF (PR)

**ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO FILE
SECOND AMENDED COMPLAINT**

(Docket No. 26)

Plaintiff, a federal prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against staff at the Santa Rita County Jail. Dkt. No. 1. On July 14, 2022, the Court issued an order granting leave to file a second amended complaint and staying briefing. Dkt. No. 25. Plaintiff was directed to file a second amended complaint within twenty-eight days from the date the order was filed. *Id.*

Plaintiff has filed a motion for an extension of time to file a second amended complaint because the law library is restricted due to Covid-19. Dkt. No. 26. Good cause appearing, the motion is GRANTED. Plaintiff shall file a second amended complaint using the court's form complaint no later than **September 26, 2022**.


The second amended complaint must include the caption and civil case number used in this order, *i.e.*, Case No. 21-cv-04994 BLF (PR), and the words "SECOND

1 AMENDED COMPLAINT” on the first page. Plaintiff must answer all the questions on
2 the form in order for the action to proceed. Plaintiff is reminded that the second amended
3 complaint supersedes the original, and Plaintiff may not make references to the original
4 complaint. Claims not included in the second amended complaint are no longer claims and
5 defendants not named in a second amended complaint are no longer defendants. *See*
6 *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992).

7 **Failure to respond in accordance with this order by filing a second amended**
8 **complaint in the time provided will result in this action proceeding based on the**
9 **cognizable claims in the amended complaint, as discussed in the Court’s initial**
10 **screening order, Dkt. No. 14.**

11 **IT IS SO ORDERED.**

12 **Dated: __August 11, 2022__**


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California